

**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**February 21, 2013**



**Conditional Use Permit case no. CU12-12: GH2M Ventures, LLC**

**CASE DESCRIPTION:** a request for approval of a Conditional Use Permit to allow multi-family residential use on property in the South College-Business District (SC-B)

**LOCATION:** 2.375 acres of vacant land out of the J.E. Scott Survey adjoining the west side of the 3700 block of Old College Road between South College Avenue and Ranger Drive

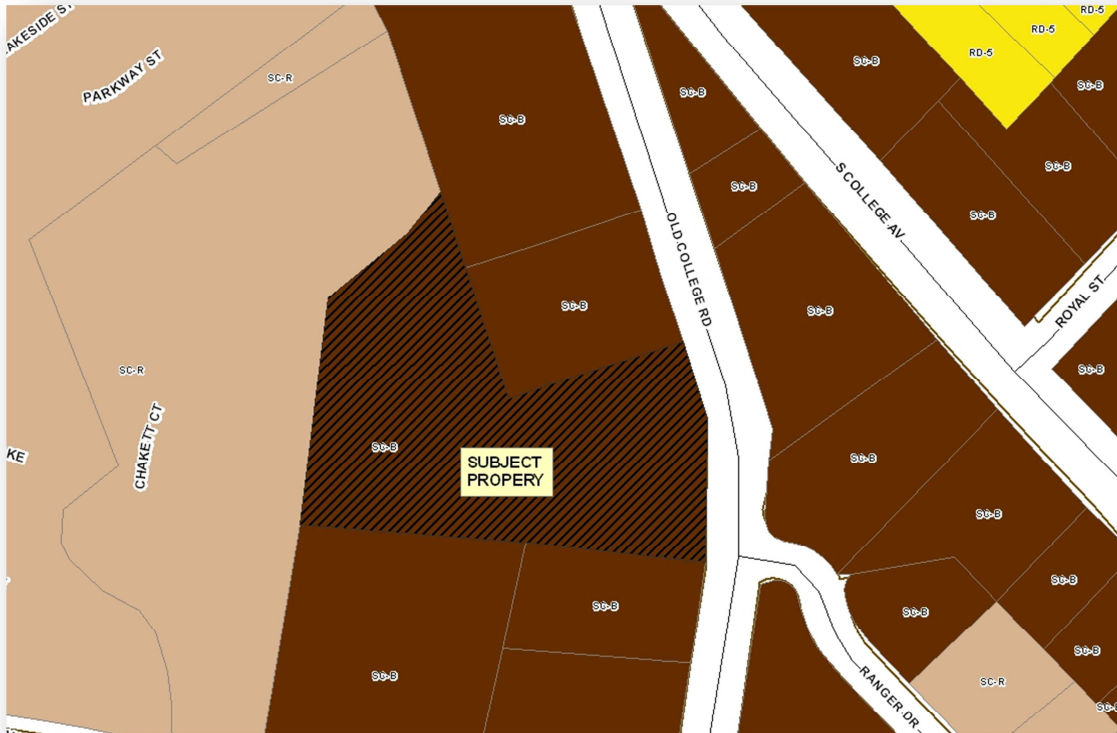
**ZONING:** South College – Business District (SC-B)

**EXISTING LAND USE:** vacant acreage

**APPLICANT(S):** Billy Chenault for GH2M Ventures, LLC

**STAFF CONTACT:** Matthew Hilgemeier, Project Planner

**SUMMARY RECOMMENDATION:** Staff recommends **approving** this Conditional Use Permit request.



## **BACKGROUND:**

The subject property is an undeveloped 2.37-acre tract of land zoned South College – Business District (SC-B). The property is owned by GH2M Ventures L.L.C., represented by Mr. Billy Chenault. The owners wish to develop a 48 unit multi-family residential apartment project with 78 bedrooms on the subject property. The proposed density of the project is 20 units per acre and will consist of 9,900 square feet of total living space in 9 buildings.

The subject property lies approximately 445 feet south the intersection of Old College and South College Avenues. Existing land uses in the immediate area include a two restaurants and a commercial party/event room to the east; an indoor storage building is located directly south of the subject property; a now vacant retail space is located to the north, and a fraternity house and mobile home park are located to the west.

The SC-B District is intended to protect existing development and to promote future development while maintaining the unique character along the South College Avenue Corridor. More specifically, the SC-B District is established to provide locations for various types of general retail trade, business and service uses. The district allows uses which are generally compatible near or adjacent to, but not usually directly in residential neighborhoods.

SC-B zoning potentially allows multi-family residential development, but only with prior approval of a Conditional Use Permit from the Planning and Zoning Commission. The purpose of the conditional use permit process is to identify those uses which might be appropriate within a zoning district but, due to either their location, function, or operation, could have a potentially harmful impact on adjacent properties or the surrounding area; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate such adverse impacts. The applicants are requesting such a Conditional Use Permit to be able to build the proposed apartment complex, as shown on the conceptual site plan attached to this staff report.

## **RELATION TO BRYAN'S COMPREHENSIVE PLAN:**

The City of Bryan adopted a Comprehensive Plan in January 2007. The plan includes policy recommendations related to the various physical development aspects of the community. These aspects are supported by a set of goals and objectives. The Planning and Zoning Commission shall consider the following when making a decision regarding this particular request:

### **Citywide Land Use Policies**

All land uses should be located such that:

- appropriate buffers separate dissimilar uses. Buffers include, but may not be limited to transitional land uses, floodplain areas, parks, landscaping or natural and man-made features;

### **Use-Specific Land Use Policies**

**High Density Residential** land will predominantly consist of housing types such as apartments but may consist of other housing types as long as densities are high, ranging from 9 to 24 dwelling units per acre. These uses should be located in areas that are:

- along collector or arterial streets at mid-block locations, where appropriate.

## Redevelopment and Infill Policies

- The City of Bryan will encourage and promote compatible infill and redevelopment in areas where these activities will benefit the city as a whole and the area specifically.

## Goals, Objectives and Action Statements

The following goals, objectives and action statements were developed to address land use concerns facing Bryan in the next twenty years.

### GOAL #1: ACHIEVE A BALANCE OF LAND USES WITHIN THE CITY

**Objective A: Achieve a sustainable mix of land use types in suitable locations, densities and patterns.**

*Action Statement 4: Limit the locations of large-scale multi-family developments to areas within an identified proximity to Blinn College and Texas A&M University.*

## ANALYSIS:

Approval of a Conditional Use Permit by the Planning and Zoning Commission shall be based upon the following criteria.

1. Whether the proposed conditional use conforms to applicable regulations and standards established by the Zoning Ordinance.

**Physical development of this property is proposed to comply with the standards and limitations that generally apply to properties zoned Multiple-Family District (MF), including, but not limited to regulations concerning density, building height, lot coverage, access, screening, landscaping, accessory buildings, signs and lighting. Staff believes that applying the same standards that generally apply to MF-zoned properties in Bryan, is appropriate for the proposed multi-family residential development at this location.**

2. Whether the proposed conditional use is compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features.

**Staff believes that multi-family residential use on the subject property would be compatible with existing or permitted uses on abutting sites. While there are existing commercial uses located directly east, north, and south of the subject property, there are single-family and other multi-family residential uses located to the west and further south along Old College Avenue. This proposed multi-family use can also serve as a transition from more intense commercial uses located to the east, north and south, and lower-density single-family and multi-family uses to the west. Staff believes that the proposed multi-family development on the subject property is appropriate in this particular environment. Furthermore, the proposed height of the new buildings in 2 stories and 28 feet appears to be similar in character of the existing neighborhood.**

3. Whether and the extent to which the proposed conditional use potentially creates greater unfavorable effect or impacts on other existing or permitted uses on abutting sites than those which reasonably may result from the use of the site by a permitted use.

**Staff believes that approval of the requested conditional use permit for multi-family residential development would not cause a negative impact on existing and future development in the area. The subject property is located approximately 1 mile from Texas A&M University. The developer has stated that if this development proves to be successful that similar projects may be planned in the immediate area in the future, which could make this a project a “jumping-off” point for desirable redevelopment in this area.**

4. Whether and the extent to which the proposed conditional use affects the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

**Staff does not anticipate that a new multi-family residential development at this location will generate any more traffic than what a large-scale commercial development could generate that would be allowed to locate here without conditional use permit approval. Staff contends that the proposed multi-family residential use at this location should not have any adverse effects on vehicular and pedestrian traffic in this vicinity.**

5. Whether and the extent to which the proposed conditional use would reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

**Any new development on this property, including the proposed multi-family residential use, will be required to meet City regulations concerning erosion, flood, fire and other hazards and impacts. No variations from existing standards are being requested and no portion of this property is located within the FEMA recognized floodplain.**

6. Whether and the extent to which the proposed conditional use adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

**Staff contends that multi-family use of this particular property will not have any adverse effects on traffic control or adjacent properties. The apartment complex, as proposed, would not adversely affect traffic control because of lighting or signage.**

7. Whether and the extent to which the proposed conditional use provides adequate and convenient off-street parking and loading facilities.

**The concept site drawing submitted for consideration indicates adequate parking for the proposed development. Further, the concept drawing acknowledges that the project will comply with development standards applicable to the MF zoning district. Specific analysis of parking requirements will be addressed at the time of review of a full site plan by the City’s Site Development Review Committee (SDRC).**

8. Whether the proposed conditional use conforms to the objectives and the purpose of the zoning district in which the development is proposed.

**Staff believes that, in this particular case, the proposed multi-family development on the subject property will result in a desirable arrangement of land use intensities in this area. The South College Corridor Districts are intended to allow for the development of a mix of uses which can complement each other in type and character. While the SC-B District is focused on providing locations for general retail and service uses, the subject property has never been developed. The unusual shape of the lot and its limited frontage on S. College Avenue may be reasons why this**

**property has remained vacant., A multi-family residential project on this lot would not need a large amount of street frontage to attract potential customers, and therefore seems appropriate for this location.**

9. Whether the proposed conditional use will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

**Staff believes the proposed multi-family residential use of this property will have no ill effects on properties or improvements in the vicinity. As mentioned before, several adjacent properties are also occupied by residential uses at varying densities. . As previously mentioned, this project could serve as a catalyst for increased redevelopment activity, which was one of the reasons for the creation of the South College Corridor zoning districts.**

10. Whether the premises or structures are suitable for the proposed conditional use.

**For the same reasons given above, staff believes that the subject property is suitable for multi-family residential use.**

#### **RECOMMENDATION:**

Staff recommends **approving** the requested Conditional Use Permit to allow a multi-family residential development on the subject property, **subject to the following conditions:**

1. **That the apartment development shall generally conform to standards and limitations that generally apply to properties zoned Multiple-Family District (MF), including, but not limited to regulations concerning density, building height, building elevations, coverage, access, screening, landscaping, accessory buildings, signs and lighting.**
2. **That a site plan fulfilling all the technical requirements for development of an apartment complex on the subject property, including, but not limited to public water/sewer utility extensions, stormwater management, landscape plan and analysis and on-site traffic circulation, shall be approved by the City of Bryan's Site Development Review Committee (SDRC), before any building permits are issued.**